

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<p><b>JAVIER AZUL LOPEZ,</b> <b>Plaintiff,</b></p> <p style="text-align: center;"><b>v.</b></p> <p><b>EDGE INFORMATION MANAGEMENT INC.,</b> <b>Defendant.</b></p>	<p>: : : : : : : : : : :</p>	<p><b>CIVIL ACTION</b></p> <p><b>NO.: 17-179</b></p>
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**ORDER**

**AND NOW**, this 26<sup>th</sup> day of February, 2018, upon consideration of Plaintiff’s Amended Complaint (ECF No. 18), Defendant’s Motion to Dismiss Count I and II of the Amended Complaint or, in the Alternative, Dismiss Plaintiff’s Class Claims (ECF No. 21), Plaintiff’s Response in Opposition (ECF No. 24), and Plaintiff’s Notice of Supplemental Authority (ECF NO. 25), it is hereby **ORDERED** as follows:

1. Defendant’s Motion (ECF No. 21) is **GRANTED IN PART AND DENIED IN PART**. Defendant’s Motion is **GRANTED** as it relates to the class claim contained in Count I of the Amended Complaint, and as it relates to Count II of the Amended Complaint in its entirety. Defendant’s Motion is **DENIED** as it relates to Plaintiff’s individual claim, as alleged in Count I of the Amended Complaint.
  
2. Plaintiff is granted leave to amend the First Amended Complaint within fourteen (14) days of the filing of this Order.

BY THE COURT:

/s/ C. Darnell Jones, II

C. Darnell Jones, II J.